

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

FARHAT ALI,

*Plaintiff,*

V.

LIBERTY MUTUAL INSURANCE  
COMPANY,

*Defendant.*

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CIVIL ACTION NO. 4:22-CV-00036

(JURY)

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**PLAINTIFF’S RESPONSE IN OPPOSITION TO DEFENDANT LIBERTY MUTUAL  
INSURANCE COMPANY’S MOTION TO ENTER FINAL JUDGMENT**

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Plaintiff Farhat Ali files this, his Response in Opposition to Defendant Liberty Mutual Insurance Company’s Motion to Enter Final Judgment (“Motion”), and shows the Court as follows:

**ARGUMENT**

Plaintiff opposes Liberty Mutual’s Motion because it is wholly redundant and only serves to confuse the record. First, as Liberty Mutual’s Motion makes clear, Plaintiff has previously accepted the Rule 68 offer extended by Liberty Mutual.<sup>1</sup> That acceptance was conditioned on acceptance of the terms of the Rule 68 offer that did not contradict the language of the policy.<sup>2</sup> However, Liberty Mutual’s Motion merely states that “Plaintiff Ali accepted the Offer of Judgment” without any further detail or explanation. This mischaracterizes both Plaintiff’s acceptance of the Rule 68 offer and the subsequent Request for Declaratory Judgment filed with

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<sup>1</sup> Dkt. 17, Plaintiff’s Acceptance of Rule 68 Offer.

<sup>2</sup> *Id.* at

this Court by Plaintiff.

In reality, Liberty Mutual's Motion is merely an unnecessary reframing of Plaintiff's Request for Declaratory Judgment, to which Liberty Mutual has already filed a response.<sup>3</sup> Accordingly, Plaintiff incorporates the entirety of his Request for a Declaratory Judgment and subsequent Reply in support of that Request for a Declaratory Judgment into this Response, as necessary. Liberty Mutual's Motion—while deceptively brief and simplistic—only serves to muddy the waters and sidestep the issues already briefed through Plaintiff's Request for a Declaratory Judgment.

### CONCLUSION

For the reasons outlined above, Plaintiff respectfully requests that this Court deny Liberty Mutual's Motion to Enter Final Judgment as moot.

Respectfully submitted,

By: /s/ Chad T. Wilson

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ATTORNEYS FOR PLAINTIFF

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<sup>3</sup> Dkt. 22, Liberty Mutual's Response to Plaintiff's Request for Declaratory Judgment.

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of Plaintiff's Response in Opposition to Defendant Liberty Mutual Insurance Company's Motion to Enter Final Judgment has been forwarded to all counsel of record through the Court's CM/ECF system today, January 2, 2023.

/s/ Chad T. Wilson  
Chad T. Wilson